

HONORING THE LIFE OF PETTY OFFICER 3RD CLASS NATHAN BRUCKENTHAL

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 2004

Mr. ISRAEL. Mr. Speaker, I rise today to honor the life of Nathan B. Bruckenthal, a life that he gave for his country. P03 Bruckenthal, U.S. Coast Guard, was killed in action at the Khawr Al Amay Oil Terminal off the coast of Iraq on 24 April 2004 in a terrorist-suicide bombing. DC3 Bruckenthal became the first Coast Guardsman to lose his life in combat since Vietnam.

P03 Bruckenthal was born on July 17, 1979. Growing up in Stony Brook, Long Island, he had a strong sense of service from his earliest years. A member of the Junior ROTC while in high school and later a volunteer firefighter in Ridgefield, Connecticut, Bruckenthal later returned home to Long Island where he joined the Coast Guard.

Bruckenthal went on to serve at Coast Guard stations in Montauk, New York; Yorktown, Pennsylvania; and Neah Bay, Washington. Having volunteered to become a damage control officer, Bruckenthal made an even greater commitment to continued service by reenlisting, a decision he made with his new wife Pattie whom he had met while serving in Washington. Bruckenthal was subsequently selected for the elite Coast Guard tactical law enforcement program and assigned to TACLET South, housed at the Coast Guard's Miami Air Station.

Lauded for his leadership by his commanding officers and continually decorated for his achievements, P03 Bruckenthal was selected for deployment to Iraq where he would work not only with the Coast Guard but with the Navy and numerous foreign services. His dedication to service was needed in what would soon be a war zone; his leadership was needed to make working with so many disparate services a success. P03 Bruckenthal went on to work in and around the critical Iraqi port of Um Qasar before being redeployed to the United States. But one tour of duty was not enough for a man who always sought greater service. He volunteered to go back to Iraq.

While serving on his second tour, Bruckenthal learned his wife was carrying his unborn child. Still he soldiered on. While patrolling in the Persian Gulf and training two Navy seamen on intercept operations, P03 Bruckenthal noticed a suspicious vessel. When the vessel would not heed his commands, Bruckenthal moved with his crew to intercept the vessel. The vessel exploded and P03 Bruckenthal and his two crewmates were killed. Their selfless action saved the U.S.S. *Firebolt* and its sailors as well as the off shore oil platform and terminal at Khawr Al Amaya. P03 Nathan Bruckenthal had now made the ultimate sacrifice for his country: he gave his life.

P03 Bruckenthal had been well decorated during his career, earning the USCG Marksmanship Ribbon, the Unit Commendation Award, the Coast Guard Sea Service Ribbon, National Defense Service Medal, the Coast Guard Merit Team Commendation and the Combat Action Medal. He will not know of his

final two decorations but they speak directly to his characteristics of selflessness, leadership and sacrifice. For his heroic intercept of the suicide vessel, P03 Bruckenthal was posthumously awarded the Bronze Star with Valor and the Purple Heart.

Words do not easily capture the greatness of a young man like Nathan Bruckenthal nor can they do justice to his sacrifice or to the deep loss of his family. However, it is our duty to ensure that the legacy of this great American, like that of many who have fallen with him, is known and honored. Tom Brokaw wrote not so long ago about what he termed "The Greatest Generation." He illustrated that they were people who knew there was a need for service and then quietly answered that call. They were people who sacrificed so much but complained very little. They were people who labored far away while penning letters to loved ones at home speaking only of happiness, their love and their future. Nathan Bruckenthal may not have served with the men and women who are part of that WWII generation, but I can tell you he would be right at home with them.

PERSONAL EXPLANATION

HON. CHRISTOPHER SHAYS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 2004

Mr. SHAYS. Mr. Speaker, on September 28, inclement weather delayed the train I was riding back to Washington and, therefore, I missed three recorded votes.

I take my voting responsibility very seriously and would like the CONGRESSIONAL RECORD to reflect that, had I been present, I would have voted "yes" on recorded vote number 473, "yes" on recorded vote 474, and "yes" on recorded vote 475.

BHOPAL RESOLUTION

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 29, 2004

Mr. PALLONE. Mr. Speaker, I introduced a resolution today in recognition of the 20th anniversary of the Union Carbide Corporation gas leak that took place in Bhopal, India, in December 2004. This 1984 Bhopal Gas Leak Disaster is widely regarded as the worst peacetime environmental catastrophe in world history, and this important resolution expresses the commitment of the United States Congress to work with the Government of India and others to ensure that Union Carbide provides environmental and medical rehabilitation in Bhopal and is held responsible for its actions.

On the night of December 2, 1984, 27 tons of poisonous gas including methyl isocyanate leaked from a storage tank at the Union Carbide Corporation's pesticide plant in Bhopal and quickly spread to the surrounding residential areas. Official estimates indicate a death toll of 3,000 lives in the aftermath of the disaster, with unofficial estimates putting the toll much higher at 8,000. To date, the death toll has climbed to more than 20,000 lives.

Although it is now 20 years since the disaster, approximately 10–30 people continue to die every month in Bhopal from toxic exposure and 150,000 people continue to suffer long-term health consequences from the disaster. The effects of the toxic gases also appear to be harming the next generation, as more overwhelming evidence is surfacing that points to higher incidence of health effects and birth-defects among children born to gas-affected people.

A host of international organizations and independent investigators have concluded that Union Carbide's inadequate technology, double standards in safety and emergency-preparedness compounded by a reckless cost-cutting drive at the plant were the principal causes of the disaster. Based on these investigations and other evidence, the authorities in India brought criminal charges against Union Carbide, its Indian subsidiary as well as local managers in 1987 for criminal negligence and reckless indifference leading to death.

In 1989, Union Carbide negotiated a settlement of \$470 million with the Indian government that was based on inaccurate statistics about the scale and magnitude of the disaster in addition to being widely condemned by the media and responsible jurists in India as insufficient, even when compared to compensation awards provided for under Indian law. The Supreme Court of India in its judicial review of the settlement in October 1991 held that the criminal charges could not be overturned or dismissed based on the civil settlement and directed that the criminal prosecution against Union Carbide and the Indian accused must proceed in the courts of India.

When Union Carbide was served with a summons in the criminal case by the Bhopal District Court in 1992, and a notice to appear for trial was published in the Washington Post, Union Carbide's spokesmen responded with a public statement that the company was not subject to the jurisdiction of India's courts in disregard of universally accepted international law regarding criminal jurisdiction acknowledged by both the United States and India. Based on its refusal to appear to face criminal charges against it, the Bhopal District Court issued non-bailable arrest warrants for Union Carbide, ordered that its remaining properties in India be attached to secure its appearance and declared that the company was a "proclaimed absconder" or fugitive from justice.

Union Carbide has recently become a wholly-owned subsidiary of The Dow Chemical Corporation, which made the decision to acquire the company with full knowledge, according to its own public statements, of the criminal charges pending against it and Union Carbide's status as an absconder or fugitive from justice. Despite repeated public requests and protests around the world, Dow Chemical has refused to make its new subsidiary appear before the Bhopal District Court to face the criminal charges pending against it for the disaster.

Like Union Carbide before it, Dow Chemical has, to date, continued to refuse to release all scientific research on the leaked gas, claiming that this information constitutes a commercial "trade secret". Like Union Carbide before it, Dow Chemical has also continued to refuse to release all of its own medical research on the toxicology of the leaked chemicals and gases to date. The lack of information on the gas has not only hindered the study of the long-